

From: Souki, Jesse K.
To: renee.marler@dot.gov
CC: Miyamoto, Faith; Woo, Donna M; Takeuchi, Gary Y.
Sent: 5/21/2010 2:31:29 PM
Subject: TRNS Submission Process

Renee,

In anticipation of our phone call next week, here is information that you may find useful.

(1) Based on the recent FTA comments, this is the language that we propose inserting into the Final EIS regarding timing of submission of the Final EIS to OEQC and distribution to FTA:

Hawaii Revised Statutes § 343-5(f) and Hawaii Administrative Rules § 11-200-25(b) both require state and local agencies to cooperate with federal agencies to the fullest extent possible to reduce duplication between federal and state requirements. This includes preparing joint environmental impact statements with concurrent public review and processing. The governor has final authority to accept the EIS. At the time of submission to the governor, Hawaii's EIS rules also require that the final EIS is distributed to persons and agencies with jurisdiction or expertise in certain areas relevant to various actions and to Draft EIS commenters that request the Final EIS. The same copy of the Final EIS submitted to the governor will also be distributed to the FTA. The FTA may choose to issue a notice of availability upon distribution of the Final EIS pursuant to its NEPA regulations.

(2) The following was sent by RTD to Elizabeth and Ted Matley by email dated 4/29/2010. It is a proposed schedule that covers activities culminating in the Notice of Availability. The proposed dates may have changed. I highlighted the transaction that is addressed in the above language, which is "Submit Final EIS to OEQC and Distribute to FTA." "OEQC" is the Hawaii Office of Environmental Quality Control. The EIS is submitted to the governor through OEQC, who generally makes a recommendation to the governor regarding "acceptability" under Hawaii's EIS law.

Receipt of conditional ALP approval from FAA	April 30, 2010
Cooperating Agency EIS comments to FTA and City	May 10, 2010
FTA EIS review and legal sufficiency comments to the City	May 10, 2010
Final EIS comment coordination with City and FTA in SF or DC	between May 11 and 13
Completion of expedited Section 106 review for eligibility	May 13, 2010
FTA requests signatory parties to sign Section 106 programmatic agreement	May 13, 2010
Completion of Final EIS to address comments	May 19, 2010
Receipt of signed PA	May 20, 2010
Review individual Final EIS changes with FTA	May 20, 2010
Submit Final EIS to OEQC and Distribute to FTA	May 20, 2010
FTA Final legal sufficiency review	May 20 and May 21
Signature on Final EIS cover page	May 21, 2010
Reproduce Final EIS	May 22 through May 25
Distribute Final EIS	May 26, 2010
NOA submitted to EPA	May 28, 2010
NOA in Federal Register	June 4, 2010

Sincerely,
Jesse K. Souki
Deputy Corporation Counsel
City and County of Honolulu

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> -----Original Message-----

> From: Souki, Jesse K.

> Sent: Friday, May 21, 2010 9:12 AM

> To: renee.marler@dot.gov

> Cc: Miyamoto, Faith

> Subject:

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> Renee,

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> I am available any time you are next week Monday and Tuesday.

>

> Thanks.

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